

ATTACHMENT B  
TO  
VERIFIED STATEMENT  
OF  
JAMES ZOLNIEREK

**(PUBLIC VERSION)**

TELECOMMUNICATIONS DIVISION  
ILLINOIS COMMERCE COMMISSION

DOCKET NO. 01-0466

August 10, 2001

Illinois Commerce Commission  
Data Request

Staff Data Request JZ-IBT 1.1-1.3

Requested of Company Representative: Nancy Hertel

Company: Illinois Bell Telephone Company ("Ameritech")

Date Submitted: 7/12/01

Reference No.: ICC Docket 01-0466

Description of Data Request:

Please provide the following documents and requested information on or before July 19, 2001 according to the following directions:

Furnish all the information requested for each item in this data request. If that is not possible, please indicate what information is not being provided and the reason that it cannot be provided.

The response to each data request item should begin on a new page. As part of your response, please identify the item to which you are responding by typing it at the top of the page. In addition, provide the name, job title and phone number of the person responsible for providing the information requested for each item.

Documents and work papers provided as part of your response should be attached to the sheet containing your response. Each page of all documents and work papers provided in response to any data request item should be clearly marked with the data request item number, unless stapled together, in which case only the first page need be marked.

Please provide individual responses as they become available. If, in your responses to this staff data request, you make reference to written testimony filed by your utility's witnesses in this docket, please include page numbers and line numbers where the information sought by the staff in each question can be found. Your cooperation is greatly appreciated.

JZ-IBT 1.1 –Consistent with Ameritech’s promise to supply proposed terms and conditions for interconnection with XO<sup>1</sup>, and in order to assist the Commission in determining whether the Commission arbitrated rates that XO proposes to adopt from the Focal-Illinois agreement for compensation of 251(b)(5) traffic comply with the FCC ISP-Bound Traffic Order<sup>2</sup> please indicate whether, for the state of Illinois, Ameritech chooses to exchange section 251(b)(5) traffic at a rate equal to the rate caps adopted by the FCC for ISP-bound traffic. If not, please explain in detail why not and what rates will apply.

JZ-IBT 1.2 – In the ISP-Bound Traffic Order<sup>3</sup>, the FCC identified ISP-bound traffic as the “...traffic exchanged between LECs that exceeds a 3:1 ratio of terminating to originating traffic...” Measuring traffic according to the FCC proxy methodology please provide for Illinois, for the first quarter of 2001:

- A. The aggregate number of ISP-bound minutes originated by Ameritech and sent by Ameritech to XO.
- B. The aggregate number of 251(b)(5) minutes originated by Ameritech and sent by Ameritech to XO. (Exclude ISP-bound traffic reported in JZ-IBT 1.2.A.)
- C. The aggregate number of ISP-bound minutes originated by XO and sent by XO to Ameritech.
- D. The aggregate number of 251(b)(5) minutes originated by XO and sent by XO to Ameritech. (Exclude ISP-bound traffic reported in JZ-IBT 1.2.C.)

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<sup>1</sup> In the Petition For Arbitration In the Matter of XO Illinois, Inc. Petition for Arbitration pursuant to Section 252(b) of the Telecommunications Act of 1996 to establish an Interconnection Agreement with Illinois Bell Telephone Company d/b/a Ameritech Illinois (“XO Petition”) XO indicates that Ameritech has stated that XO “...may not opt into the terms and provisions for ISP compensation in the Focal Agreement because a recent FCC order ruled that such ISP compensation provisions are outside the permissible scope of Section 252(i) as of April 18, 2001.” Further XO asserts that while refusing to allow XO to opt into the portion of the agreement dealing with rates, terms, and conditions for intercarrier compensation “[A]meritech Illinois promised that it would forward proposed terms and conditions to XO ‘shortly’.”

<sup>2</sup> In the Federal Communication’s Commission (FCC) Order on Remand and Report and Order In the Matter of Implementation of Local Compensation Provisions in the Telecommunications Act of 1996 and Intercarrier Compensation for ISP-Bound Traffic (“FCC ISP-Bound Traffic Order”), CC Docket Nos. 96-98 and 99-68, released April 27, 2001, the FCC states at paragraph 89 that “The rate caps for ISP-bound traffic that we adopt here apply, therefore, only if an incumbent LEC offers to exchange all traffic subject to section 251(b)(5) at the same rate. Thus, if the applicable rate cap is \$0.0010/mou, the ILEC must offer to exchange section 251(b)(5) traffic at that same rate. Similarly, if an ILEC wishes to continue to exchange ISP-bound traffic on a bill and keep basis in a state that has ordered bill and keep, it must offer to exchange all section 251(b)(5) traffic on a bill and keep basis. For those incumbent LECs that choose not to offer to exchange section 251(b)(5) traffic subject to the same rate caps we adopt for ISP-bound traffic, we order them to exchange ISP-bound traffic at the state-approved or state-arbitrated reciprocal compensation rates reflected in these contracts.” In footnote 179 the FCC notes that “ILECs may make this election on a state-by-state basis.”

<sup>3</sup> FCC ISP-Bound Traffic Order at paragraph 8.

JZ-IBT1.3 – At paragraph 79 of the ISP-Bound Traffic Order the FCC indicates that the presumption that traffic identified by its 3:1 ratio proxy is ISP-Bound traffic is a rebuttable presumption.

- A. Does Ameritech accept the estimates produced by the FCC proxy methodology as the measure of the number of minutes of ISP-Bound traffic sent to it by XO in Illinois?
- B. If Ameritech does not accept the estimate produced by the FCC proxy methodology as the measure of the number of minutes of ISP-Bound traffic sent to it by XO in Illinois then please provide Ameritech's corrected number of aggregate minutes of ISP-Bound traffic sent to it by XO in Illinois and all evidence necessary and sufficient to rebut the estimate presumed by the FCC proxy methodology.
- C. If Ameritech does not accept the estimate produced by the FCC proxy methodology as the measure of the number of minutes of ISP-Bound traffic sent to it by XO in Illinois then please provide Ameritech's corrected number of aggregate minutes of 251(b)(5) traffic sent to it by XO in Illinois.

Please submit your responses by July 19, 2001 to:

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**RESPONSES CONTAIN CONFIDENTIAL INFORMATION**